

By Representative Argenziano

1                                   A bill to be entitled  
2           An act relating to a refund of excess utility  
3           payments by the Public Service Commission;  
4           providing for a refund to certain utility  
5           customers who paid more under a uniform rate  
6           structure than those customers would have paid  
7           under a modified stand-alone rate structure;  
8           requiring the Public Service Commission to  
9           notify utility customers who are eligible for a  
10          refund; providing requirements for applying for  
11          a refund; requiring the Public Service  
12          Commission to verify eligibility for a refund  
13          and request the Comptroller to issue payments;  
14          providing that the refund shall be funded from  
15          the Florida Public Service Regulatory Trust  
16          Fund; providing an appropriation; repealing s.  
17          215.20(4)(n), F.S., which provides for  
18          deduction of a 0.3 percent service charge for  
19          the General Revenue Fund from the Florida  
20          Public Service Regulatory Trust Fund; amending  
21          s. 215.22, F.S.; providing that said trust fund  
22          is exempt from the 7 percent service charge for  
23          the General Revenue Fund; amending s. 350.113,  
24          F.S., to conform; amending s. 367.145, F.S.;  
25          authorizing the Public Service Commission to  
26          use fees collected pursuant to chapters 364 and  
27          366, F.S., for routine monthly cash flow in  
28          connection with regulation of water and  
29          wastewater systems; providing effective dates.  
30  
31   Be It Enacted by the Legislature of the State of Florida:

1           Section 1. (1) The Comptroller shall provide a refund  
2 to utility customers in this state who paid more for water and  
3 sewer services between September 15, 1993, and January 23,  
4 1996, under the uniform rate structure imposed pursuant to  
5 Order No. PSC-93-0423-FOF-WS of the Public Service Commission,  
6 than the amount such customers would have paid under the  
7 modified stand-alone rate structure approved on remand in  
8 Docket No. 920199-WS of the Public Service Commission. The  
9 refund amount for each eligible utility customer shall equal  
10 the amount paid in excess of the modified stand-alone rate,  
11 plus interest.

12           (2) The Public Service Commission shall notify by mail  
13 each utility customer who is eligible for a refund under this  
14 section and who resides in the state. The notice must include  
15 instructions for filing an application for the refund. An  
16 eligible utility customer must file a refund application with  
17 the Public Service Commission by July 1, 2001, or shall  
18 forfeit eligibility for the refund. The Public Service  
19 Commission shall verify an applicant's eligibility and shall  
20 request that the Comptroller issue payments for approved  
21 applications. The Public Service Commission shall mail the  
22 payments to the refund recipients. An amount of less than \$10  
23 shall not be refunded.

24           (3) The amount necessary to fund the refund of utility  
25 payments provided under this section is appropriated from the  
26 Florida Public Service Regulatory Trust Fund.

27           (4) This section shall take effect upon this act  
28 becoming a law.

29           Section 2. Paragraph (n) of subsection (4) of section  
30 215.20, Florida Statutes, is repealed.

31

1 Section 3. Paragraph (v) is added to subsection (1) of  
2 section 215.22, Florida Statutes, to read:

3 215.22 Certain income and certain trust funds  
4 exempt.--

5 (1) The following income of a revenue nature or the  
6 following trust funds shall be exempt from the deduction  
7 required by s. 215.20(1):

8 (v) The Florida Public Service Regulatory Trust Fund.

9 Section 4. Subsection (2) of section 350.113, Florida  
10 Statutes, is amended to read:

11 350.113 Florida Public Service Regulatory Trust Fund;  
12 moneys to be deposited therein.--

13 (2) All fees, licenses, and other charges collected by  
14 the commission shall be deposited in the State Treasury to the  
15 credit of the Florida Public Service Regulatory Trust Fund to  
16 be used in the operation of the commission as authorized by  
17 the Legislature; however, penalties and interest assessed and  
18 collected by the commission shall not be deposited in the  
19 trust fund but shall be deposited in the General Revenue Fund.  
20 ~~The Florida Public Service Regulatory Trust Fund shall be~~  
21 ~~subject to the service charge imposed pursuant to chapter 215.~~

22 Section 5. Subsection (3) of section 367.145, Florida  
23 Statutes, is amended to read:

24 367.145 Regulatory assessment and application fees.--

25 (3) Fees collected by the commission pursuant to this  
26 section may only be used to cover the cost of regulating water  
27 and wastewater systems. Other than for purposes of routine  
28 monthly cash flow, fees collected by the commission pursuant  
29 to chapters 364 and 366 may not be used to pay the cost of  
30 regulating water and wastewater systems.

31

